

PERU

a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
I. TERRITORIAL SEA	Aug 34	Merchant Marine Law	3nm	
	Aug 47	Presidential Decree No. 781	200nm	Declaration claimed not to "affect the right of free navigation of vessels of all nations."
				This claim is not recognized by the U.S. U.S. protested claim in 1948, 1986, 1987, 1988 and 1992 and conducted operational assertions in 1980, 1985-1988, 1990-1994 (overflights) and 1986.
	Nov 65 Jul 79	Law No. 15720 Constitution Arts. 98/99	200nm 200nm	Sovereignty over airspace. Airspace; preserved freedoms of "international communication."
	Dec 93	Constitution, Article 54	200nm	
IV. CONTINENTAL SHELF	Aug 47	Presidential Decree No. 781	200nm	
	Mar 52	Petroleum Law No. 11780	200nm	
	Jun 71	Legislative Decree No. 18880	200nm	
V. FISHING ZONE/EEZ	Aug 47	Presidential Decree No. 781	200nm	Exclusive fishing zone.
	Aug 52	Joint Declaration	200nm	Claimed "sole sovereignty and jurisdiction" over adjacent sea, seabed and subsoil.
	Jan 56	Supreme Decree No. 22		Regulated foreign fishing territorial sea.
	Apr 65	Supreme Decree No. 7	200nm	Amended Supreme Decree 22.
	Dec 65	Supreme Decree No. 16	200nm	Amended Decree No. 7; permit requirements.
VII. MARITIME BOUNDARIES	Aug 52	Joint Declaration on the Maritime Zone		Maritime boundary agreement with Chile and Ecuador EIF.
	Feb 75	Agreement		Agreement with Ecuador EIF.
VIII. LOS CONVENTION	Dec 82			Voted for; did not sign.

c. MARITIME BOUNDARIES

MARITIME BOUNDARY: CHILE-PERU

Analysis. The following comments regarding an agreement between the governments of Chile, Ecuador and Peru, proclaimed on 18 August 1952, are extracted from Limits in the Seas, No. 86, "Maritime Boundary: Chile-Peru," 2 July 1979:

Although according to the 1952 declaration the maritime zone of each state is to be bounded by the specific parallel of latitude on which the seaward terminus of the land territory is situated, the agreed-upon parallel of latitude is actually located slightly to the north of the land boundary terminus.

The maritime boundary extends along the 18° 23' 03" parallel of South latitude, which coincides with the parallel of latitude on which the Peru-Chile land boundary marker No. 1 has been placed. Marker No. 1 lies a short distance to the northeast of the Chile-Peru coastal boundary point.

The seaward limit of the maritime boundary is not clearly defined in the declaration. On [the map attached to this LIS] the maritime boundary is depicted as extending 200 nm from each coast. Owing to coastal configurations, the Peruvian segment of the boundary extends farther seaward than the Chilean segment. Point C on the map is situated 200 nm from Chile (i.e., from the land boundary terminus that is the nearest point on the Chilean coast); however, this point is approximately 120 nm from the nearest point on Peru's coast. The point on this parallel of latitude 200 nm from Peru (i.e., from Pta. San Juan) is not reached until point P; this point is more than 360 nm from the land boundary terminus.

The maritime boundary traverses rather deep water; depths reach 2,500-3,000 fathoms (1500-1800 feet). Areas of less than 100 fathoms are virtually non-existent along this portion of the South American coast.

MARITIME BOUNDARY: ECUADOR-PERU

The following excerpts from an agreement between the governments of Ecuador and Peru," and the analysis which follows, are extracted from Limits in the Seas, No. 88, "Maritime Boundary: Ecuador-Peru," October 2, 1979:

(a) The agreement.

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... The maritime zone of an island or group of islands belonging to one declarant country and situated less than 200 nm from the general maritime zone of another declarant country shall be bounded by the parallel of latitude drawn from the point of which the land frontier between the two countries reaches the sea.

(b) Analysis.

The Ecuador-Peru maritime boundary and the special maritime frontier zone are illustrated on the [map attached to LIS No. 88]. According to the 1952 Declaration on the Maritime Zone, the maritime boundary extends seaward on the parallel of latitude of the seaward terminus of the land boundary. Hito, or pillar, No. 1, established by the Rio de Janeiro Protocol in 1942 and demarcated by the Ecuador-Peru Mixed Demarcation Commission, is situated at Boca de Capones at 3° 23' 33.96" S., 80° 19' 16" W. There seems to be some question as to whether this point defines the latitude of the maritime boundary. An aide-memoire received by the United States Government from the Ecuadorean Government described the boundary in the following manner:

The de jure boundary line between Ecuador and Peru begins in the mouth of the Tumbes River in the Pacific Ocean. Consequently, the parallel which by law should serve as the maritime boundary between Ecuador and Peru has the following latitudinal coordinates:

3° 23' 33.96" S.

The de facto maritime boundary which corresponds to the Boca Capones parallel, the point at which the 1942 line reaches the sea, has the following coordinates:

3° 13' 33.96" S.